IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FOURTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE J.CHELAMESWAR

and
THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 14949 of 2004

Between:

M. Srinivasulu, S/o Late M.Govindarajulu,Occ:Junior Assistant (Jr.Commercial Taxes Inspector), Office of the Commercial Tax Officer-II, Tirupathi, Chittoor District.

..... PETITIONER

AND

1 The Deputy Commissioner (CT), Chittoor, Chittoor District.
2 The Commercial Tax Officer (FAC), Madanapalle, Chittoor

District.

.....RESPONDENTS.

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, orders, direction or a writ more particularly one in the nature of writ of certiorari calling for the records pertaining to order dated 9.8.2004 passed in O.A.No.4499/2004 on the file of Andhra Pradesh Administrative Tribunal and quash the same as Contrary to Law, probabilities of the case and violation of principles of natural justice and consequentially set aside the office order No.1/2004-5 dated 19.7.2004 issued by the second respondent as illegal, arbitrary and violation of principle of natural justice.

Counsel for the Petitioner: MR.A.CHANDRAIH NAIDU

Counsel for the Respondents: GP FOR COMMERCIAL TAX

The Court at the admission stage made the following:

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ORDER: (Per THE HON'BLE SRI JUSTICE J.CHELAMESWAR)

Aggrieved by the refusal of an interim order passed by the Andhra Pradesh Administrative Tribunal, Hyderabad (for short 'the Tribunal') in O.A.No.4499 of 2004, dated 09-08-2004 the present writ petition is filed by the unsuccessful petitioner before the Tribunal.

2. We do not propose to go into the details of the impugned order in the above mentioned O.A.No.4499 of 2004, dated
09-08-2004 passed by the Tribunal in respect to the immediate purpose of seeking the interim suspension of the order of the 1st respondent to the effect that the petitioner was shifted from one post to another post in the same Office. In the circumstances, we do not see any reason to interfere with the impugned order passed by the Tribunal.

3. The writ petition is, therefore, dismissed at the admission stage. However, in view of the fact that it is represented to our notice that so far two Officers have submitted two different enquiry reports against the petitioner on various charges and the status of the petitioner is uncertain, we direct the Tribunal to dispose of the above O.A. expeditiously, preferably within a period of six months from the date of receipt of a copy of this order. No costs.

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J.CHELAMESWAR, J

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GODA RAGHURAM, J

24th August, 2004.

CHVN/PVSN.

ASSISTANT REGISTRAR.

// True Copy //

SECTION OFFICER.

To

1 The Deputy Commissioner (CT), Chittoor, Chittoor District.
2 The Commercial Tax Officer (FAC), Madanapalle, Chittoor

District.

3. Two C.Cs. to the G.P. for Commercial Tax, High Court Buildings,

Hyderabad, (OUT).

4. Two CD copies.